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8 *Attorneys for Complainant*

9
10 **BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**
11

12
13 In the Matter of the Accusation Against:

Case No.

2010-50

14 **KRISTEN STAUDACHER**
7732 Southbreeze Drive
15 Sacramento, California 95828

A C C U S A T I O N

16 **Registered Nurse License No. 277224**

17 Respondent.
18

19 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Interim
22 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
23 Affairs.

24 **License History**

25 2. On or about March 31, 1977, the Board issued Registered Nurse License Number
26 277224 ("license") to Kristen A. Staudacher ("Respondent"). The license was in full force and
27 effect at all times relevant to the charges brought herein and will expire on February 28, 2011,
28 unless renewed.

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1 CAUSE FOR DISCIPLINE

2 (Out-of-State Discipline)

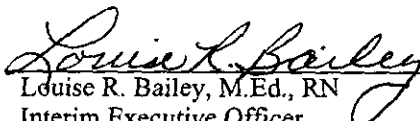
3 8. Respondent is subject to disciplinary action under Code section 2761, subdivision
4 (a)(4), on the grounds of unprofessional conduct, in that Respondent was disciplined by the
5 Nevada State Board of Nursing ("Nevada Board"). In the action entitled, *In the Matter of*
6 *Kristen Staudacher, Licensed Professional Nurse, Nevada License No. RN 39728*, pursuant to a
7 Voluntary Surrender of License/Certification in Lieu of Other Disciplinary Action, effective
8 March 17, 2005, Respondent voluntarily surrendered her privilege to practice nursing in the State
9 of Nevada. The underlying circumstances of the disciplinary action are that on October 15, 2002,
10 Respondent entered into an Agreement for Probation and thereafter violated the terms and
11 conditions of probation by failing to call in for drug screenings. A copy of the Voluntary
12 Surrender of License/Certification in Lieu of Other Disciplinary Action is attached as **Exhibit A**
13 and is incorporated herein.

14 PRAYER

15 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
16 and that following the hearing, the Board of Registered Nursing issue a decision:

- 17 1. Revoking or suspending Registered Nurse License Number 277224 issued to
18 Kristen Staudacher;
- 19 2. Ordering Kristen Staudacher to pay the Board the reasonable costs of the
20 investigation and enforcement of this case, pursuant to Code section 125.3; and,
- 21 3. Taking such other and further action as deemed necessary and proper.

22
23 DATED: 8/3/09


Louise R. Bailey, M.Ed., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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EXHIBIT A

1 **BEFORE THE NEVADA STATE BOARD OF NURSING**

2
3
4 IN THE MATTER OF

5 KRISTEN STAUDACHER

6 LICENSED PROFESSIONAL NURSE

7 NEVADA LICENSE NO. RN39728

8 RESPONDENT

COMPLAINT AND NOTICE
OF HEARING

CASE NO. 0922-04CV

9
10 The Nevada State Board of Nursing (Board), by and through counsel, Frederick R.
11 Olmstead, hereby notifies Respondent Kristen Staudacher of an administrative hearing, which is
12 to be held pursuant to Chapters 233B and 632 of the Nevada Revised Statutes and Chapter 632
13 of the Nevada Administrative Code. The purpose of the hearing is to consider the allegations
14 stated below and to determine if the Respondent should be subject to an administrative penalty as
15 set forth in NRS 632.320 and/or NRS 632.325 and/or NAC 632.926-927, if the stated
16 allegations are proven at the hearing by the evidence presented.

17 Respondent Kristen Staudacher was at the time of the allegations stated below licensed as
18 a Registered Nurse in the State of Nevada, and is, therefore, subject to the jurisdiction of the
19 Board and the provisions of NRS Chapter 632 and NAC Chapter 632.

20 IT IS HEREBY ALLEGED AND CHARGED AS FOLLOWS:

21 I.

22 On March 27, 2003, Respondent signed an Agreement for Probation. On April 17, 2003,
23 the Board accepted the Agreement for Probation.

24 II.

25 Respondent has failed to comply with the terms and conditions of the Agreement for
26 Probation in the following manner:

- 27 a. Respondent has failed to make the daily call to NCPS, the drug screening
28 company, on the following dates: January 12, 2005 and February 2, 2005.

1 III.

2 The foregoing conduct constitutes grounds for disciplinary action pursuant to NRS
3 632.320(14) because Respondent has willfully failed to comply with an order of the Board.

4 Based on the foregoing:

5 PLEASE TAKE NOTICE, that a disciplinary hearing has been set to consider this
6 Administrative Complaint against the above-named Respondent in accordance with Chapters
7 233B and 632 of the Nevada Revised Statutes and Chapter 632 of the Nevada Administrative
8 Code.

9 THE HEARING WILL TAKE PLACE on **Thursday, March 17, 2005, commencing at**
10 **9:00 a.m.**, or as soon thereafter as the Board is able to hear the matter, at the **Meadow Wood**
11 **Courtyard, 5851 S. Virginia Street, Tahoe Room A, Reno, Nevada 89502.** This case and
12 other matters are scheduled to be heard by the Board.

13 PURSUANT TO NRS 632.350, Respondent may request, in writing, that the Board
14 furnish copies of communications, reports, and affidavits in its possession, regarding the above-
15 referenced matter.

16 As the Respondent, you are specifically informed that you have the right to appear and be
17 heard in your defense, either personally or through counsel of your choice. You have the right to
18 respond and to present relevant evidence and argument on all issues involved. You have the
19 right to call and examine witnesses, introduce exhibits, and cross-examine opposing witnesses on
20 any matter relevant to the issues involved.

21 You have the right to request that the Board issue subpoenas to compel witnesses to
22 testify and/or evidence to be offered on your behalf. In making this request, you may be required
23 to demonstrate the relevancy of the witness' testimony and/or evidence.

24 The purpose of the hearing is to determine if the Respondent has violated NRS
25 632.320(14), and if the allegations contained herein are substantially proven by the evidence
26 presented to further determine what administrative penalty is to be assessed against the
27 Respondent, if any, pursuant to NRS 632.320 and/or NRS 632.325 and/or NAC 632.926-.927.
28

1 Should the Respondent fail to appear at the hearing, a decision may still be reached by
2 the Board. As the Respondent, you are further advised that you may be charged with cost
3 associated with the hearing pursuant to NRS 622.400.

4 Pursuant to NRS 233B.121(5), informal disposition of this case may be made by
5 stipulation, agreed settlement, consent order, or default. Any attempt to negotiate this case
6 should be made through Frederick R. Olmstead, General Counsel, Nevada State Board of
7 Nursing.

8 DATED this 22 day of February 2005.

9
10 By: 

FREDERICK R. OLMSTEAD, ESQ.
General Counsel
Nevada State Board of Nursing
5011 Meadowwood Mall Way, Suite 201
Reno, Nevada 89502-6547
(775) 688-2620

1 **BEFORE THE NEVADA STATE BOARD OF NURSING**

2
3
4 IN THE MATTER OF
5 KRISTEN STAUDACHER LICENSED
6 PROFESSIONAL NURSE
7 NEVADA LICENSE NO. RN39728
8 RESPONDENT

VOLUNTARY SURRENDER OF
LICENSE/CERTIFICATE IN LIEU OF
OTHER DISCIPLINARY ACTION

CASE NO. 0922-04CV

9
10 I, KRISTEN STAUDACHER, wish to voluntarily surrender my Nevada Nursing
11 License. I voluntarily and knowingly admit the following facts:

- 12 1. I am licensed as a Licensed Nurse in the State of Nevada and I was licensed at the
13 time of the conduct described herein and am, therefore, subject to the jurisdiction of
14 the Board.
- 15 2. Respondent acknowledges the following:
- 16 a. Respondent signed and the Board accepted an Agreement for Probation on
17 October 30, 2002.
- 18 b. Respondent has failed to comply with the terms and conditions of her Agreement
19 for Probation.
- 20 c. Respondent wishes to voluntarily surrender her license due to her inability to
21 comply with the terms and conditions of her Agreement.
- 22 3. I admit these factual allegations constitute grounds for disciplinary action pursuant to
23 NRS 632.320(14), failing to comply with an order of the Board.
- 24 4. I am aware of, understand, and have been advised of the effect of this Voluntary
25 Surrender.
- 26 5. I have read this Voluntary Surrender and I fully understand and acknowledge its facts
27 and terms.

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- 1
- 2 6. I am aware that I have certain constitutional rights, including:
- 3 a. I have the right to hire an attorney to represent me in this proceeding;
- 4 b. I have the right to demand a hearing on the charges against me, and I can require
- 5 the Board staff to prove the allegations;
- 6 c. I have the right to cross-examine the witnesses against me;
- 7 d. I have the right to call witnesses to provide evidence in my own behalf;
- 8 e. I have other rights accorded to me under Nevada Revised Statutes Chapters 233B,
- 9 and 632. Also, I have rights accorded to me under Nevada Administrative Code
- 10 Chapter 632.
- 11 7. I am aware of the foregoing rights, and I voluntarily, knowingly, and intelligently
- 12 waive these rights in return for the Board accepting my voluntary surrender of my
- 13 Nevada nursing license in lieu of other disciplinary action.
- 14 8. I understand this Voluntary Surrender is considered a disciplinary action and as such
- 15 will become part of my permanent record.
- 16 9. I understand this Voluntary Surrender is considered public information.
- 17 10. I understand this Voluntary Surrender is considered a disciplinary action and will be
- 18 reported to any national repository, which records disciplinary action taken against
- 19 licensees or certificate holders, or any agency or another state, which regulates the
- 20 practice of nursing.
- 21 11. I understand this Voluntary Surrender may be used in any subsequent hearings by the
- 22 Board as evidence against me to establish a pattern of behavior and for the purpose of
- 23 proving additional acts of misconduct.
- 24 12. This Voluntary Surrender shall not be construed as excluding or reducing any
- 25 criminal or civil penalties or sanction or other remedies that may be applicable under
- 26 federal, state or local laws.
- 27 13. I understand that this surrender is effective the day it is accepted by the Nevada State
- 28 Board of Nursing, or may be effective pursuant to NRS 632.400 (2), however I agree

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1 to immediately cease and desist from practicing as a Professional Nurse, and I am
2 returning my license/certificate with this signed Voluntary Surrender of License In
3 Lieu of Other Disciplinary Action.

4 I, KRISTEN STAUDACHER, by my signature affixed below, agree with the foregoing
5 facts and representations and therefore choose to voluntarily surrender my Nevada nursing
6 license.

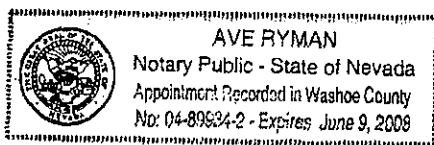
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8
9 Dated this 4th day of March, 2005

Kristen Staudacher
RESPONDENT
KRISTEN STAUDACHER

12
13
14 State of Nevada

15 County of Washoe

16 This instrument was acknowledged before me on March 4, 2005, by
17 Kristen A. Staudacher



AKR
Notary Public

Accepted and approved this 17 day of March, 2005.

NEVADA STATE BOARD OF NURSING

By: Patricia Shutt
Patricia Shutt, LPN
Board President

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1 NEVADA STATE
BOARD OF NURSING

BEFORE THE NEVADA STATE BOARD OF NURSING

2 IN THE MATTER OF

3 KRISTEN STAUDACHER,

4 REGISTERED NURSE

5 NEVADA LICENSE NO. RN39728

6 RESPONDENT

AGREEMENT FOR
PROBATION (Non-Disciplinary)

CASE NO. 0502-02Y

7
8 This Agreement is hereby entered into between KRISTEN STAUDACHER,
9 (RESPONDENT) and the NEVADA STATE BOARD OF NURSING, (BOARD).

10 It is hereby stipulated and agreed, by and between the parties to the above-entitled matter,
11 that the following statements are true:

12 1. RESPONDENT is aware of, understands, and has been advised of the effect of
13 this Agreement, which Respondent herein has carefully read and fully acknowledges. No
14 coercion has been exerted on the Respondent. Respondent acknowledges his/her right to an
15 attorney at his/her own expense. The Respondent has had the benefit at all times of obtaining
16 advice from competent counsel of his/her choice.

17 2. RESPONDENT understands the nature of the allegations under investigation by
18 the Nevada State Board of Nursing. Respondent freely admits that on or about January 8, 2002,
19 her pre-employment drug screen at Washoe Medical Center tested positive for Marijuana
20 metabolite and that she was habitually intemperate and/or addicted to controlled substances.
21 Respondent acknowledges the conduct described in paragraph two (2) constitutes a violation of
22 the Nevada Nurse Practice Act. (NRS and NAC 632) Respondent further acknowledges that
23 such admissions subject him/her to disciplinary action by the Board.

24 3. RESPONDENT is aware of the Respondent's rights, including the right to a
25 hearing on any charges and allegations, the right to an attorney at his/her own expense, the right
26 to examine witnesses who would testify against him/her, the right to present evidence in his/her
27 favor and call witnesses on his/her behalf, or to testify him/herself, the right to contest the
28 charges and allegations, the right to reconsideration, appeal or any other type of formal judicial

1 review of this matter, and any other rights which may be accorded to him/her pursuant to the
2 Nevada Administrative Procedures Act and the provisions of Chapter 632 of the Nevada Revised
3 Statutes and the Nevada Administrative Code. Respondent agrees to waive the foregoing
4 rights upon acceptance of this Agreement by the Board.

5 4. RESPONDENT understands that the Board is free to accept or reject this
6 Agreement, and if rejected by the Board, a disciplinary proceeding may be commenced.

7 5. Should the Agreement be rejected by the Board, it is agreed that presentation to
8 and consideration by the Board of such proposed Agreement, shall not disqualify the Board, or
9 any of its members, from further participation, consideration, adjudication or resolution of these
10 proceedings, and that no Board member shall be disqualified or challenged for bias therefore.

11 6. If, after notice and hearing, Respondent is found to have violated the terms or
12 conditions of probations, the Board may revoke probation for Respondent and carry out the
13 disciplinary order of revocation set forth herein. The Board shall have continuing jurisdiction
14 over any petition to revoke probation filed against Respondent until such matter is final.

15 7. This Agreement shall only become effective when both parties have duly
16 executed it and unless so executed, this Agreement will not be construed as an admission.

17 8. This Agreement shall not be construed as excluding or reducing any criminal or
18 civil penalties or sanction or other remedies that may be applicable under federal, state or local
19 laws.

20 9. Based upon the foregoing stipulations and recitals, it is hereby agreed that the
21 Board may issue the following decision and order:

22 23 DECISION AND ORDER

24 IT IS HEREBY ORDERED that Nevada Registered Nurse, license number RN39728,
25 issued in the name of KRISTEN STAUDACHER, be revoked, provided, however, that the
26 execution of the order of revocation is stayed, and the license is placed on probation
27 (RESTRICTED LICENSURE) for a minimum of five (5) years with the following terms and
28 conditions:

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1 1. **ABSTINENCE FROM ALCOHOL, MOOD ALTERING DRUGS,**
2 **CONTROLLED SUBSTANCES**

3 RESPONDENT shall abstain from the use of alcohol and all mood-altering drugs and controlled
4 substances except when absolutely required for documented medical treatment. All other
5 methods of alternative treatment must be tried, and failure must be documented prior to use of
6 any mood-altering drugs. This treatment must be prescribed by a person authorized by law to
7 prescribe such substances, and who is knowledgeable about the disease of addiction and the
8 Respondent's history. This treatment must be reported to the Board, in writing, within seven (7)
9 days, accompanied by the above described documentation. The Board may require additional
10 treatment until Respondent documents sobriety after periods of prescribed drug use.

11 2. **PARTICIPATION IN BOARD-APPROVED AFTERCARE PROGRAM**

12 RESPONDENT shall participate in a Board-approved aftercare program for a minimum of one
13 year. Such program shall include a minimum of weekly aftercare group sessions and individual
14 counseling not less than twice per month. Individual counseling shall be provided by a Board-
15 approved Certified Substance Abuse Counselor, Certified Chemical Dependency Nurse, or other
16 approved treatment provider.

17 3. **COUNSELOR REPORTS (DUE QUARTERLY)**

18 RESPONDENT shall have a Board approved substance abuse counselor, or other state licensed
19 counselor, associated with his/her aftercare program who shall:

- 20 a. Have been approved by the Board prior to the initiation of
21 treatment;
- 22 b. Submit progress reports related to the plan of treatment every three
23 (3) months;
- 24 c. Identify at the completion of one (1) year of the aftercare program
25 whether Respondent needs to continue in aftercare or other
26 counseling;
- 27 d. Respondent shall participate in individual counseling with a Board
28 approved counselor until the counselor and the Executive Director
 or Associate Director for Compliance approve discontinuance;

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e. All changes in counselors shall be approved prior to their implementation;

f. A second opinion may be required to terminate any counseling.

4. **SUBMISSION OF EVIDENCE OF ATTENDANCE AT ALCOHOLICS ANONYMOUS (AA) OR NARCOTICS ANONYMOUS (NA) MEETINGS**

RESPONDENT shall attend a minimum of two (2) meetings per week of Alcoholics Anonymous (AA) or Narcotics Anonymous (NA) throughout probation, and shall submit documentation of all meetings attended to the Board on a quarterly basis.

5. **SUBMISSION OF AA/NA SPONSOR REPORTS**

RESPONDENT shall cause his/her AA or NA sponsor to submit reports addressing Respondent's progress in recovery, on forms provided by the Board, on a quarterly basis.

6. **ATTENDANCE AT NURSE SUPPORT GROUP**

RESPONDENT shall attend weekly meetings of a Board-approved Nurse Support Group and submit documentation of all meetings attended to the Board on a quarterly basis.

7. **SUBMISSION TO URINE, BLOOD, OR OTHER TESTS FOR DRUGS OF ABUSE**

RESPONDENT shall submit to random urine, blood or other tests for drugs of abuse and/or alcohol when requested by her counselor, supervisor, or representative of the Board; however, these test shall occur no less than one time every month. Respondent shall cause his/her physician to write a standing order for testing for alcohol and drugs of abuse. These tests shall be treated as forensic specimens and submitted to a Board-approved laboratory. Respondent shall cause the results to be given to the requesting party and the Board. Any confirmed positive finding shall be reported immediately to the Board. Changes in frequency of tests may be approved by the Associate Director for Compliance and the Disability Advisory Committee...

8. **ATTENDANCE AT A BOARD MEETING MANDATORY**

RESPONDENT shall, during the first year of this Agreement, attend a minimum of one meeting of the Nevada State Board of Nursing during which disciplinary hearings are held. This shall not include any meeting at which his/her own case is considered.

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9. TIME EARNED OFF PROBATION

RESPONDENT shall only receive credit toward service of his/her probation period while employed in a capacity for which nursing licensure/certification is required and subject to adequate supervision approved by the Board.

10. WRITTEN EMPLOYMENT SITE APPROVAL BY BOARD STAFF

The Board shall approve all employment sites (changes in specialty and/or work site or unit, including changes within the same facility or under the same employer) requiring a nursing license/certificate prior to commencement of work. Approval is given through the Executive Director, or the Associate Director for Compliance.

11. WRITTEN NOTIFICATION OF TERMINATION OF EMPLOYMENT TO BOARD

RESPONDENT is required to notify the Board in writing within seventy-two (72) hours after commencement or termination of any nursing employment. Any notification regarding termination shall contain a full explanation of the circumstances surrounding it.

12. DIRECTION BY A REGISTERED NURSE

RESPONDENT shall be employed in a setting in which direction is provided by a Registered Nurse. Direction shall mean: the intermittent observation, guidance and evaluation of the nursing practice by a licensed professional nurse who may only occasionally be physically present; the degree of direction needed shall be determined by an evaluation of the patient care situation, and the demonstrated proficiency of the Respondent.

13. RESTRICTION FROM FUNCTIONING IN A SUPERVISORY ROLE

RESPONDENT may not function as a supervisor, including as a head nurse or charge nurse for a minimum of one (1) year and unless approved by the Associate Director for Compliance and the Disability Advisory Committee.

14. ACCESS TO CONTROLLED SUBSTANCES

RESPONDENT shall have no access to controlled substances during his/her employment as a licensed nurse for a minimum of one (1) year and until specifically authorized by the Associate Director for Compliance and the Disability Advisory Committee.

1 15. **LIMITATION ON HOURS WORKED**

2 RESPONDENT shall not work more than ninety (90) hours in nursing in a two (2) week period.
3 Changes in hours may be approved by the Associate Executive Director for Nursing Practice and
4 the Disability Advisory Committee.

5 16. **SUBMISSION OF AGREEMENT TO IMMEDIATE SUPERVISOR**

6 RESPONDENT shall provide a copy of this Agreement to her employer and immediate
7 supervisor.

8 17. **INITIAL SUPERVISOR REPORTS (DUE PRIOR TO BEGINNING**
9 **EMPLOYMENT)**

10 RESPONDENT shall cause his/her nursing supervisor (the person who is directly responsible for
11 everyday nursing functions) to submit a written report prior to the commencement of
12 employment. A form is provided for this report which includes:

- 13 a. Name and address of employer and name of immediate
14 supervisor;
- 15 b. Duties and responsibilities to be carried out by Respondent in
16 the form of a job description;
- 17 c. Acknowledgement from the supervisor that this Agreement has
18 been read, that the role of the supervisor is understood, and that
19 the supervisor agrees to participate in the Respondent's
20 probationary stipulations as outlined in this Decision and
21 Order.

22 A report of this content shall be submitted by each additional or subsequent employer during the
23 entire probationary period and shall be due prior to the commencement of employment.

24 18. **SUPERVISOR REPORTS (DUE QUARTERLY)**

25 RESPONDENT shall cause his/her nursing supervisor (the person who is directly responsible for
26 everyday nursing functions) to submit quarterly written reports to the Board addressing work
27 attendance, reliability, ability to carry out assigned nursing functions, ability to handle stress
28 (change in behavior patterns), and any other information the employer or supervisor feels would
assist the Board in its ultimate review of Respondent's case. The supervisor shall include

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notification of any infractions of laws that come to his/her attention, and any other relevant information.

19. **SELF REPORTS (DUE QUARTERLY WHETHER WORKING OR NOT)**

RESPONDENT shall submit written reports, whether working or not, on his/her progress in recovery, his/her ability to handle stress, his/her mental and physical health, his/her current job duties and responsibilities, his/her ability to practice nursing safely, and any changes in his/her plan for meeting the stipulations of this Agreement.

20. **SELF REPORTS (DUE QUARTERLY) – ADDITIONAL INFORMATION**

RESPONDENT shall make and present written documentation that he/she is making acceptable progress in recovery; it is the Respondent's responsibility to resolve any confusion with the Executive Director or Associate Director for Compliance. Failure to demonstrate acceptable progress in recovery may be considered a violation of this Agreement.

21. **REPORT DUE DATES**

RESPONDENT shall cause all reports to be in writing and submitted directly to the Board on a quarterly basis unless otherwise specified. These reports shall begin three (3) months subsequent to the execution of this Agreement and are due no later than the last day of the month. It is the obligation of the Respondent to insure that all written reports are on time. The failure to submit the reports on time may be considered a violation of this Agreement. Changes in the frequency of reporting may be approved by the Associate Director for Compliance and the Disability Advisory Committee.

22. **REQUIREMENT TO MEET WITH THE BOARD OR STAFF UPON REQUEST**

RESPONDENT shall meet with the Board or its representatives upon request and shall cooperate with representatives of the Board in their supervision and investigation of Respondent's compliance with the terms and conditions of this Agreement.

23. **FINANCIAL RESPONSIBILITIES AND MONITORING FEES (DUE MONTHLY)**

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RESPONDENT shall be financially responsible for all requirements of this Agreement, including any financial assessments by the Board for the cost of monitoring his/her compliance with this Agreement.

24. **WRITTEN NOTIFICATION OF CHANGE OF ADDRESS**

RESPONDENT shall notify the Board, in writing of, and prior to, any change of address.

25. **EFFECT ON ALL LICENSURE/CERTIFICATION IN THIS STATE**

This Agreement shall cover any nursing license and/or certification issued by the State of Nevada.

26. **REQUIRED NOTIFICATION OF OTHER STATES OF LICENSURE**

This Order will not be reported to a national disciplinary data bank, either the Healthcare Integrity and Protection Data Bank or National Council of State Boards of Nursing's Nursys or on the list of disciplinary actions providing Respondent complies fully with the terms and requirements contained herein. Should Respondent seek licensure or employment as a nurse outside the state of Nevada, the Board shall report the Order of Probation to other jurisdiction(s) and may seek disciplinary actions for violation of the terms of this Order. This Order may be used in any subsequent hearings by the Board.

27. **TERMINATION OF PROBATION**

Upon completion of the stipulations of this Agreement, Respondent shall apply for termination of probation and issuance of unconditional licensure/certification on forms supplied by the Board. Respondent shall meet with the Associate Director for Compliance and the Disability Advisory Committee for evaluation of compliance and recommendation for termination of probation. The probation shall continue until terminated by the Board. The Board will determine whether or not probation will be terminated.

28. **VIOLATIONS TO BE REPORTED TO BOARD WITHIN SEVENTY-TWO (72) HOURS**

RESPONDENT shall practice in accordance with the Nurse Practice Act and Board established Standards of Practice. Respondent shall obey all federal, state and local laws, employer policy or contracts, and orders of the Board, pertaining to the practice of nursing in this state. Any and all

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violations shall be reported by the Respondent to the Board in writing within seventy-two (72) hours. It is the Respondent's responsibility to resolve with the Executive Director, or the Associate Director for Compliance any confusion regarding what laws pertain to nursing.

29. **CONSEQUENCES OF FURTHER VIOLATIONS INCLUDING
VIOLATIONS OF THIS AGREEMENT; AGREEMENT TO SURRENDER
LICENSE AND/OR CERTIFICATE**

RESPONDENT acknowledges that if he/she should violate one or more of the terms of conditional licensure/certification, the Board may revoke, or invoke other appropriate discipline against his/her license/certificate to practice nursing, subject only to the requirement that the Board shall, prior to such disciplinary action, conduct a hearing in accordance with the Nevada Nurse Practice Act for the limited purpose of establishing that there has, in fact, been a violation of the stipulations of this Agreement. In the event that a violation of the stipulations is alleged, Respondent agrees to surrender his/her license/certificate to the Executive Director, or the Associate Director for Compliance, if they so request, and refrain from practicing nursing until entry of a final order of the Board or a court of competent jurisdiction, whichever last occurs, regarding a potential violation. Respondent agrees to waive his/her right to appeal the substantive legal basis of the non-disciplinary action. In the event an alleged violation of conditional licensure/certification is taken to hearing and the facts which constitute the violation are determined to be not proven, no disciplinary action shall be taken by the Board and the conditional licensure/certification previously ordered by the Board shall again be operative and in full force and effect.

30. **CONSEQUENCES OF OTHER MISCONDUCT**

In the event other misconduct is reported to the Board, this Agreement may be used as evidence against the Respondent to establish a pattern of behavior and for the purpose of proving additional acts of misconduct.

31. **REQUIRED NOTIFICATION OF OTHER STATES OF LICENSURE**

This Agreement will not be reported to a national disciplinary data bank, either the Healthcare Integrity and Protection Data Bank or National Council of State Boards of Nursing's Nursys or

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on the list of disciplinary actions providing Respondent complies fully with the terms and requirements contained herein. Should Respondent seek licensure or employment as a nurse outside the state of Nevada, the Board shall report the Agreement For Probation to other jurisdiction(s) and may seek disciplinary actions for violation of the terms of this Agreement. This Agreement may be used in any subsequent hearings by the Board.

32. WAIVER OF RIGHT TO APPEAL

RESPONDENT agrees to waive his/her right to appeal the substantive legal basis of the disciplinary action. In the event an alleged violation of conditional licensure/certification is taken to hearing and the facts which constitute the violation are determined to be not proven, no disciplinary action shall be taken by the Board and the conditional licensure/certification previously ordered by the Board shall again be operative and in full force and effect.

NEVADA STATE BOARD OF NURSING retains jurisdiction in this case until all conditions have been met to the satisfaction of the Board...

NEVADA STATE BOARD OF NURSING

Justin Audacher
RESPONDENT

10/15/02
Date

Cookie Bible APN
Cookie Bible, BSN, RNC, APN
Board President

10.30.02
Date

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OCT 15 2002

NEVADA STATE
BOARD OF NURSING

Debra Scott MS RN
Debra Scott, MS, RN
Executive Director

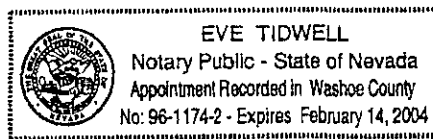
10/28/02
Date

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2 STATE OF NEVADA)

3)
4 COUNTY OF WASHOE)

5 This instrument was acknowledged before me on October 15, 2002
6 by KRISTEN STAUDACHER (RESPONDENT).

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9 Eve Tidwell
10 Notary Public



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16 RECEIVED - RENO

17 OCT 15 2002

18 NEVADA STATE
19 BOARD OF NURSING
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